

1910-043 Chancery Causes: Jennie Lambert vs. Emmett Lambert
Lee Co.

El dridge

CA-Divorce

In the Circuit Court for Lee County.

To the Second August Rules 1910.

=====#
Jenny Lambert, Plaintiff. #
vs. # Bill in Chancery.
Emmett Lambert, Defendant. #
=====#

Your oratrix Jenny Lambert , a citizen of Lee County, Virginia, respectfully represents and shows unto your Honor that on or about the 25th day of June, 1906, she was married in this County to one Emmett Lambert; that she resides in Lee County, Virginia, and has been domiciled in this State for more than one year next preceeding the institution of this suit; that in a few days after the marriage of your complain-
and more than three years before the institution of
ant to the said defendant, he, the said defendant did abandon and desert your complainant without any just cause or legal
excuse therefor, and still refuses to live with
your oratrix.

The premises aforesaid considered, and for as much therefore as your oratrix is remediless save in a Court of Equity where matters of this sort are properly cognizable she prays that Emmett Lambert be made a party defendant to this bill, and he be required to answer the same; but he need not do so on oath as that is waived; that upon a hearing of this case your Honor grant unto your oratrix an absolute divorce from the said Emmett Lambert, and that all other, further and general relief be awarded your complainant as the nature of her cause may require. And she will ever pray, etc.

Spinningham Bros. P.D.

Junie Lambert
vs Bill

Emmett Lambert

1910, 2nd Aug. Rules
Bill filed, Spa.
executed.

" 1st Sept. Rules
Cause set for
hearing.

Costs:
Clerk \$3.55
Tax 1.50
Shff. 1.00
atty. 15.00
Comr. .75
\$21.80

Jennie Lambert Comptk }
vs } Deem
Emmett Lambert Deft }

This Cause came on this the 6th day of Sept. 1910 to be heard upon the bill of the Complainant, the Depositions of Nancy E. Eldridge, John P. Eldridge and Jennie Lambert duly taken before a Commissioner in Chancery of this Court and filed in this case on the 19th day of August, 1910 and was argued by Counsel;

On consideration of all which and it appearing to the Court that the said Defendant was personally served with process in this cause in this County, and that the Complainant was domiciled in this County for more than a year next preceding the

institution of this suit.
 and that the defendant
 without lawful cause
 left and deserted said
 Complainant for more
 than three years before
 the institution of this
 suit, and for reasons
 appearing to the Court
 it is adjudged, ordered
 and decreed that the
 bonds of matrimony
 heretofore existing
 between said said Com-
 plainant and defendant
 be and the same is here-
 by dissolved and the
 said Complainant di-
 vored from the said
 defendant, and he from
 her. And it is further
 adjudged, ordered and
 decreed that said Com-
 plainant recover from
 the said defendant her costs
 in this case, and this
 case is stricken from the
 docket.

Jennie Lambert
us } Degree
 } final

Lambert Lambert

Entered in OLB
No 9, page 41

Enter this
Sept. 6-1910
H. A. W. S. L. W.
Judge

To Emmett Lambert;

TAKE NOTICE that on the 18th day of August, 1910, at the law office of E. W. Pennington, in the town of Pennington Gap, between the hours of 9 A. M. and 3 P. M. of that day, I shall proceed to take the deposition of J. P. Eldridge, et als, to be read as evidence in my behalf in a certain suit in Equity pending in the Circuit Court for Lee County, wherein I am plaintiff and you are defendant; and if from any cause the taking of said depositions be not commenced, or if commenced be not concluded on that day, the taking thereof will be adjourned from day to day and from time to time, at the same place and between the same hours until the same shall be completed.

Yours truly,

Jenny Lambert

By Pennington Bros. P.Q.

2
Junie Lambert

vs. Notice

Emmett Lambert

Represented by delivering
a true copy of the within
to H. Lambert, the father
of Emmet Lambert, who
was not at his usual
place of abode, said H.
Lambert, being over
16 years of age.

This Aug 12th 1910.

J. Miles Deputy
for W. Y. Tucker
D. L. C.

The defendant Em-
met Lambert not
being found at his
usual place of a-
bode, I executed the
within notice
in said county, Va. on
the 12th day of
August, 1910 at the
usual place of
abode of the said
Emmet Lambert by
delivering a true
copy of the within
notice to H. Lambert
a member of said
Emmet Lambert's
family above the age
of 16 years and giving
him information of
the purpose of this
notice.

J. Miles Deputy

W. Y. Tucker
D. L. C.

=====

Jennie Lambert, Plaintiff,	#	
vs.	#	In Chancery.
Emmett Lambert, Defendant.	#	
=====	#	

The depositions of Nancy E. Eldrige, John P. Eldrige and Jennie Lambert, taken before me a Commissioner in Chancery for the Circuit Court for Lee County, pursuant to the notice hereto attached, at the law Office of E. W. Pennington, in the town of Pennington Gap, in Lee County, Virginia, on the 18th day of August, 1910, between the hours of 9 A. M. and 3 P. M. of that day, to be read as evidence in behalf of Jennie Lambert in a certain suit in Equity depending in the Circuit Court for the County of Lee wherein Jennie Lambert is plaintiff and Emmett Lambert is defendant.

Present: E. W. Pennington, attorney for the plaintiff.
Do one for the defendant.

The witness Nancy E. Eldrige after being duly sworn deposes as follows:

Q. Give your age and residence?

A. I am (39) thirty-nine years old; I live in one-half mile of Ben Hur within this County.

Q. Do you know Jennie and Emmett Lambert, plaintiff and defendant in this suit?

A. I do.

Q. What relation, if any, are you to Jennie Lambert?

A. She is my daughter.

Q. Were you present when Jennie and Emmett Lambert were married, if so tell as nearly as you can when they were married and where?

A. I was present and saw my daughter, Jennie, and Emmett

Lambert married at Mr. Hartley's store near Ocoonita in this County. They were married on the 25th day of June, 1907.

Q. What became of your daughter and Mr. Lambert after they were married at Mr. Hartley's store?

A. So soon as they were married they left Mr. Hartley's store saying that they were going to his father's home.

Q. When did you next see your daughter Jennie?

A. I saw her next day at Mr. Lambert's home.

Q. How long after they were married did they live together?

A. Until the next day after they were married.

Q. How long after your daughter went to Mr. Lambert's home until she came back to your home, if she came back?

A. She stayed there about two weeks and then she came back home.

Q. Where has your daughter made her home after she came back home.

A. She has been with me ever since.

Q. Have your daughter and Mr. Lambert lived together at all since she came back to your home?

A. No sir.

Q. Have you ever seen and talked with Mr. Lambert about leaving your daughter?

A. No sir.

Q. In what County has your daughter made her home and been domiciled for the last year next preceeding the institution of this suit by her. She brought this suit about three weeks ago?

A. Lee County, Virginia.

Q. Do you know why Mr. Lambert left your daughter?

A. No sir. And further this deponent saith not.

Nancy E. Eldridge

John P. Eldrige, another witness of lawful age after being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation?

A. My name of John P. Eldrige; I am (42) forty-two years old; I reside within about onehalf mile of Ben Hur in this County, and my occupation is farming.

Q. Are you acquainted with Jennie and Emmett Lambert?

A. Yes sir.

Q. What relation, if any, is Jennie Lambert to you?

A. She is my daughter.

Q. Where has your daughter made her home since she was married to Emmett Lambert?

A. She has made it at my home except about two weeks after they were married. I was not present when they were married but I had been told that they were married.

Q. Do you know, or have any information as to where Emmett Lambert now is?

A. He is at the Virginia Lee Mines in the Pocket country in this County.

Q. State in what County Jennie Lambert has been living and residing for the year next preceeding the institution of this suit?

A. Le County.

And further this deponent saith not.

this
John P. Eldrige
mark

Jennie Lambert another witness of lawful age, after being duly sworn deposes as follows:-

Q. Are you the Jennie Lambert, plaintiff in this case?

A. I am.

Q. Were you and Emmett Lambert ever married to each other, if so when and where?

A. We were married to each other at Mr. Hartley's store near Ocoonita in this County on the 25th day of June, 1907.

Q. How long did your husband live with you after you and him were married to each other?

A. We were married on one day and he left me the next.

Q. Has he ever been to see you, or lived with you, or asked you to live with him after he left you on the day after you were married?

A. No sir.

Q. Did he tell you when he was leaving you that he was not going to live with you or not?

A. No sir. When he left he said he would be back the next day, but he never came back, and he never has come back to me up to this time.

Q. Did you do anything to cause him to leave you, if so what was it?

A. No sir, I never done anything at all.

Q. Where have you made your home and been domiciled since your husband left you?

A. I made my home at my father and Mother's house in this County.

Q. Where did you and he go to immediately after you were married.

A. We went to his father's house.

Q. How long did you stay at his father's house waiting for him to come back before you went back to your father and mother?

A. About two weeks.

Q. State whether your husband sent you any word by any of his family whether he was ever coming back to you?

A. About two weeks after we were married he sent word to me by his brother, Farley Lambert, that he ~~xxx~~ would not live with me and that I could go where I pleased, and on that information I went back to my father's and have lived and resided there ever since.

Q. Have you ever seen or talked to your husband since you went back to your father's and mother's to live?

A. No sir.

And further this deponent saith not.

Jennie Lambert

Virginia,

Lee County, to-wit:

I, R. E. L. Chumbley, a Commissioner in Chancery for the Circuit Court of Lee County and State aforesaid, do hereby certify that the aforesaid depositions of Nancy E. Eldrige, John P. Eldrige and Jennie Lambert were duly taken, sworn to and subscribed before me at the time and place aforesaid, and for the purpose in the caption aforesaid mentioned.

Given under my hand this the 18th day of August, 1910.

R. E. L. Chumbley

Commissioner in Chancery.

Commissioner's fee for taking depositions, 75 cts.

Jennie Lambert
vs - { deposition

Ernest Lambert

Received by mail
in good condition
& filed Aug. 19, 1910.

S. C. Ewing,
Clerk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Emmet Lambert

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *3rd* Monday in *August*, 19*10*, to answer a bill in chancery exhibited against *him*

in our said Court by Jennie Lambert

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *8th*
day of *August*, 19*10*, and 1 *35th* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Jennie Lambert

VS

SUBPENA
IN
CHANCERY

Emmet Lambert

Pen. Bros. p. q.

To

2nd Aug.

Rules

Lee Circuit

Court

1910
Executed by delivering
a true copy of the within
to H. Lambert the father
of Emmet Lambert, who
was not at his usual
place of abode. Said H.
Lambert being over 16 years
of age. This Aug 12, 1910
H. Miles Deputy for W. G. Tucker
Deputy Clerk